

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (currently amended) A method of controlling data transmissions in a network between at least one terminal and at least one server, comprising:
determining a current status of the at least one server;
determining a transmission rate of the at least one terminal based on the current status of the at least one server; and
adjusting the transmissions from the at least one terminal to the at least one server based on the transmission rate by modifying at least one local load weight to move a load from at least one overloaded server to at least one non-overloaded server.

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2. (original) The method of claim 1, wherein the step of determining the current status of the at least one server comprises receiving an overload notification from one of at least one server and updating a local status indicator for the one of at least one server.

3. (canceled)

4. (original) The method of claim 1, wherein the step of determining the current status comprises determining an overload status of each server based on whether any server is overloaded.

5. (original) The method of claim 4, wherein the step of adjusting the transmission further comprises adjusting a local load coefficient based on the overload status.

6. (original) The method of claim 5, wherein the step of adjusting the local load coefficient includes decreasing the local load coefficient if the overload status indicates that all of the servers are overloaded.

7. (original) The method of claim 5, wherein the step of adjusting the local load coefficient comprises increasing the local load coefficient if the overload status indicates that none of the servers are overloaded.

8. (original) The method of claim 1, wherein the step of adjusting the transmission further comprises modifying at least one local load weight if a portion of the at least one server is overloaded.

9. (currently amended) An apparatus that controls data transmissions on a network between at least one terminal and at least one server, comprising:

a memory;

a network interface; and

a controller, connected to the memory and the interface said controller:

1) determining a current status of the at least one server, 2) determining a transmission rate of the at least one terminal based on the current status of at least one server, and 3) adjusting the transmissions of the at least one terminal to the at least one server based on the transmission rate by modifying at least one local load weight to move a load from at least one overloaded server to at least one non-overloaded server.

10. (original) The apparatus of claim 9, wherein the controller determines the current status of the at least one server by receiving an overload notification from one of at least one server and updating a local status of the one of at least one server.

11. (canceled)

12. (original) The apparatus of claim 9, wherein the controller determines the current status comprises determining an overload status of each server based on whether any or all of the servers are overloaded.

13. (original) The apparatus of claim 12, wherein the controller adjusts the transmission by adjusting a local load coefficient for each server based on the overload status.

14. (original) The apparatus of claim 13, wherein the controller adjusts the local load coefficient by decreasing the local load coefficient if the overload status indicates that all of the servers are overloaded.

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16. (original) The apparatus of claim 9, wherein the controller adjusts the transmission by modifying at least one local load weight if a portion of the at least one server is overloaded.
